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## **Paulsboro Terminal Included in Exxon Dirty Deal**

*Settlement Lets Exxon off Hook for Thousands of Gallons of Oil Contamination*

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**Paulsboro, NJ** - Today activists gathered outside the Paulsboro Oil Terminal and Lube Plant to call on Governor Christie and the NJDEP to reject a proposed settlement agreement with Exxon Mobil. Under the deal the company would pay \$225 million for damages at 18 industrial sites and over 800 gas stations across New Jersey, including the Paulsboro facility. The state originally asked for \$8.9 billion to cover natural resources damages when it initiated litigation for the Bayway and Bayonne sites. The proposed settlement would significantly reduce the money paid to New Jersey while adding additional sites other highly contaminated sites to the deal. The Paulsboro sites are home to significant groundwater contamination and will require millions of dollars to clean up and restore.

“The same administration that said the \$9 billion Exxon Settlement for Bayway and Bayonne was worth \$225 million, now says the \$81 million restoration for Paulsboro Terminal does not have to happen. That means Exxon will be let off the hook for another \$81 million. Instead of recovering tens of millions of dollars for groundwater contamination, the damages will be only \$1.1 million. They are using the same magic wand that makes corporate polluters liabilities disappear. This time in Paulsboro with the wave of their hand, Exxon saves millions of dollars,” **said Jeff Tittel, Director of the New Jersey Sierra Club.** “The Paulsboro settlement adds another \$81 to \$90 million giveaway to Exxon from the Christie Administration. After you giveaway \$9 billion, what’s another \$81 million between friends?”

The Paulsboro Oil Terminal site that was formally owned by Exxon is approximately 34 acres and is located on the banks of Delaware River. The site has seen a number of oil leaks and spills, resulting in significant groundwater contamination. In 1985, over 135,000 gallons leaked into the site. Nine major additional spills were reported after the 1985 spill. A 2009 report by the DEP found 118 million gallons of

groundwater were contaminated on the site and the plume was expected to end up contaminating over 429 million gallons of groundwater across 63 acres. Chemicals found in the groundwater include benzene, toluene, BTEX, and many other volatile organic compounds.

“Exxon is the top earning oil company in the U.S. and raked in more profit than any other company in the U.S. this past year. And yet they want a break and the state wants to give them a cut-rate deal when it comes to making good on what they should pay to clean up and restore the permanent damage they have done to our finite natural resources – even here in Paulsboro where they made billions over the years at their oil terminal, tank farm and lube plant? The cumulative long term destruction Exxon caused here on the Delaware River can never be totally repaired but Exxon should have to pay to restore environmental quality where it can be recovered for the sake of the people of Paulsboro, Pedricktown, and all who are dependent on the resources that have been lost,” **said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network.**

DEP assessed the site for Natural Resource Damages and found it would cost \$81 million to fully restore the site. In addition the report called for the purchase of 96 acres of open space for \$3.2 million to cover compulsory damages. Following litigation with multiple parties that operated on the site that ended in 2011, state reports found Exxon is still responsible for about \$12 million in damages.

“There is nothing de minimis about the toxic legacy of Exxon’s Paulsboro facilities,” **said Doug O’Malley, Director of Environment New Jersey.** “The Christie Administration’s disregard of a generation of pollution at 16 Exxon sites and more than 800 gas stations is a slap in the face to New Jersey. There was a way to make the initial Exxon settlement worse – and the Christie Administration found it. Paulsboro’s oil facilities have created a generation of pollution and public health risks – they don’t deserve to be left off the hook.”

The settlement includes the ExxonMobil Paulsboro Lube Plant, a facility for petroleum refining and making lubricating oil and grease. There are multiple site spills and both soil and groundwater have been impacted or are threatened.

“The settlement between Exxon and the DEP does not go far enough to protect the health of the families and children that live near these plants. Harmful chemicals, like volatile organic compounds (VOCs) have been leaked, spilled and dumped at these facilities for decades. The chemicals spread into people's basements and homes from the groundwater through vapor intrusion. Merely capping the site as opposed to a thorough removal of the toxins and restoration of the wetlands is leaving tons of oil and chemicals in the ground, potentially harming the families and children that live near

these facilities throughout the state, as well as here in Paulsboro,” **said Trisha Sheehan, Regional Field Manager for Moms Clean Air Force.**

The proposed settlement was expanded to include sites that were not in the original lawsuit, including the two Paulsboro sites. This case was filed in 2004 by the McGreevy administration for the damages that Exxon has done to the environment around the Bayonne and Linden refineries. Exxon has been under Administrative Consent Order for the Bayway refinery since 1991 to clean-up, but little progress has been made.

“Exxon's dirty deal with Christie just gets dirtier and dirtier the more you look into it. Settling for less than three cents on the dollar for 2 North Jersey refineries is bad enough but waiving Exxon from liability at large sites like Paulsboro and hundreds of other smaller toxic waste sites is adding insult to injury,” **said Dave Pringle, NJ Campaign Director, Clean Water Action.**

In the current budget and next year's proposed budget there is language that would allow environment settlement money over \$50 million to be diverted to the General Fund. In the current budget, \$140 million was taken from the Passaic River clean up litigation. Under this language, the administration can take \$175 million from the Exxon settlement. Historically, money from these settlements has gone to environmental programs and communities impacted by pollution, not for budget gimmicks.

“Exxon needs to be held responsible for the billions of dollars of damages they have caused to the state of New Jersey. There is no reason that they should be let off the hook for pennies on the dollar. Governor Christie is making decisions that protect corporations and he has shown us how little he is interested in protecting the people and communities most affected by Exxon's careless behavior. Corporations like Exxon are not just damaging the state of New Jersey but causing unprecedented damages to our air and water resources across the country through fossil fuel extraction practices like off shore drilling and fracking. These corporations need to be held accountable for their unscrupulous behavior,” **said Lena Smith, Organizer, Food & Water Watch.**

Groups are calling for the passage of **SCR163 (Smith)**, which would constitutionally dedicate monies received by the state in Natural Resource Damage litigation. Environmental groups are pushing the measure to ensure the money from these lawsuits go to remediating and restoring the site, local ecosystem, and local community.

“The only way we can ensure money from NRD settlements and other environmental settlements will go to the right places and not get hijacked is to have a constitutional dedication. This will prevent NRD money from being diverted to other places and programs, or being used to fill the holes in the budget. The dedication will ensure the people impacted by the pollution will receive the funding they deserve and are entitled to,” **said Jeff Tittel, Director of the New Jersey Sierra Club.**

At the press conference, activists discussed what this settlement means for the people of Paulsboro and called on the DEP to reject the outrageous settlement. The event was held Thursday, May 28<sup>th</sup> at 12 PM noon at Ft. Billings Park, North Delaware St., Paulsboro, NJ 08066. The Park is located at the end of N. Delaware St. at intersection with Clonmell St. It is next to the former Exxon Terminal.

The comment period ends June 5, 2015. Written comments can be submitted electronically to [exxonmobilbaywaysettlement@dep.nj.gov](mailto:exxonmobilbaywaysettlement@dep.nj.gov), with the subject “Exxon Mobil Bayway Settlement” or in hard copy to:

Office of Record Access  
NJDEP  
Attn: Exxon Mobil Bayway Comments  
P.O. Box 420 Mail Code 401-06Q  
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